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to command such positions and salaries elsewhere. The Commission has remained a very learned body of men, of great experience and of irreproachable character, but its legal ability has not continued to be of the same high standard set in the beginning by the learned Cooley and his associates. The natural result has been that, of the decisions of the Commission that have been appealed, a large proportion have been reversed. It is but fair to say that but a small percentage of the decisions have been appealed from, and therefore the large percentage of reversals merely shows that the railroad lawyers have exercised good judgment about the decisions they have advised the railroads to comply with, and the decisions they have advised them to question by appeal. Still, the decision of the Commission being unquestioned in the great majority of these cases, it follows that this work necessarily gives weight to them in stating the law of the subject.

An appendix contains the rules of the Commission, forms of proceedings before the Commission, and a valuable table (p. 1178) by which to trace amendments in the Interstate Commerce Act. A table of cases cited shows that the authors have been industrious, and the index that follows makes it easy to turn to details not readily ascertained from the good table of contents in the beginning. The state acts affecting extortionate rates, personal discrimination, undue preference, local discrimination, or regulation by state railroad commissions, or courts, can be easily found from the table of contents.

It is a pleasure carefully to examine a work that sustains such examination so well, to find it both comprehensive and acute, to note the accuracy of its learning, the convenience of its arrangement, the practical quality of its usefulness, and to commend it generally to the profession, which is bound to find such works much more necessary and useful in the future than they have been in the past.

A. M.

A TREATISE ON THE LAW OF MUNICIPAL CORPORATIONS. By Howard S. Abbott. In three volumes. Volume III. St. Paul: Keefe-Davidson Company. 1906. pp. xvi, 1981-3045.

In November the REVIEW called attention to the first two volumes of this work. As the third and final volume, containing also the analytic index and the table of cases, has now been issued, it seems fitting to add a few words concerning this unquestionably good treatise.

About six hundred pages of this volume are devoted to the completion of the text. The chapter on "Public Property" is finished, the divisions treated in this volume being "Its Control and Use" and "Its Disposition." A chapter of one hundred and sixty pages is given to the discussion of the "Liability of Public Corporations for Negligence." In the chapter "Some Public Duties" division is broadly made into "Educational Duties" and "Charitable and Corrective Duties." The final chapter concerns "Actions by and against Public Corporations"; and such actions as *mandamus*, *certiorari*, *quo warranto*, and injunction are particularly adverted to.

An examination of the table of cases shows that certainly more than forty thousand cases have been cited. The author's promise of an "index unusually full and complete" seems to have been fulfilled. The index covers two hundred pages, and seems to contain roughly between ten and twelve thousand separate headings. One difficulty with the index, however, and perhaps with the scheme of division of the whole work, is that there are not enough intermediate headings, between the chief topics into which the whole subject naturally falls, and the ten or twelve thousand headings. Although with an index of the comprehensive character of the one furnished in this work, any topic discussed in the text can be found, the grouping of the headings into such large and general divisions renders the search for the reference wanted less easy. In the table of contents references are made only to sections. A reference to pages also would have been of some assistance.

The faults that exist in this treatise are such that they can be remedied easily

in a second edition, for they are formal rather than fundamental. Mr. Abbott's treatise may be recommended to the profession as up-to-date, careful, and thorough, — one of the best of recent contributions to text-book law.

S. H. E. F.

THE LAW OF INNKEEPERS AND HOTELS, including other Public Houses, Theatres, and Sleeping Cars. By Joseph Henry Beale, Jr. Boston: William J. Nagel. 1906. pp. xviii, 621. 8vo.

It is hardly enough to say of this book that it deals with a special topic of the law in an exhaustive manner, not only collecting every case in common law lands relating to the business of innkeeping, but separating the different points arising in each case. Nor is it sufficient to add that the execution of the book is so painstaking and the detail so comprehensive as to cover not only all the contingencies discussed in the cases, but even going so far as to anticipate many problems which no case has raised as yet. To a student of the law the chief interest of this book is in the general analysis of the subject, and in its subdivision, for the law is exceptional and its incidence is uncertain. Of all the early public callings, only those of carriers and innkeepers survived the breaking down of state regulation when the mediæval system came to its end. But while common carriage always has received the treatment that its importance deserves, the similar law governing the conduct of public houses, although enforced for centuries, has never been worked out in a satisfactory manner before. The practical importance of doing this at this time is that it furnishes a body of law which may be utilized properly in dealing with the many problems of public service which modern conditions have forced to the front. It is in this aspect, as the author says in his preface, that the subject is worth such elaborate consideration. The rapid and enormous growth of the modern public service corporations has outstripped the law. It is only if the law proves adequate to grapple with every sort of violation of public duty by those who are in control of the public services that it will be safe to leave these businesses in private hands.

B. W.

LINCOLN THE LAWYER. By Frederick Trevor Hill. New York: The Century Company. 1906. pp. xviii, 332. 8vo.

This book throws new light upon the wonderful career of Abraham Lincoln. Mr. Hill has taken great pains to consult the original records, converse with as many men as possible who knew Lincoln as a lawyer, and thus he is able to make valuable deductions. Moreover, his legal training, power of analysis, and his facility as a writer fit him to produce a work worthy of the subject. He shows most conclusively that it was the long training at the bar, where Lincoln met all sorts of characters and the brightest legal talents of the day, that equipped him for the arduous duties of President in those trying times. The emphasis of this fact makes the present work a valuable contribution to the literature about the career of Lincoln.

ENGLISCHES STAATSRICHT, mit Berücksichtigung der für Scotland und Irland geltenden Sonderheiten. Von Julius Hatschek. II. Band: Die Verwaltung. Tübingen: Verlag von J. C. B. Mohr. 1906. pp. viii, 710. 8vo.